

HAND DELIVERED
July 26, 2011

Honorable Jeremy Fogel
United States District Court
Northern District of California
280 South First Street
San Jose, California 95113

FILED

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
N.D. CAL. SAN JOSE

Re: Eden Garden LLC. Et al. v. Indymac Venture LLC
Case No. CV 11-02356-JF

Dear Judge Fogel:

CLUF
I am writing to request a continuation of the matters set for hearing on August 5, 2011 in the above case. I am the plaintiff in that case and have been unable to respond to the matters set for hearing due to ill health and my absence from the United States. The facts of my situation are as follows:

I filed the case in Santa Clara County Superior Court through the law office of Ken Howard. After filing the case, I left for Iran on May 8, 2011, after being notified that my mother and father, who lived in Iran, were involved in an automobile accident. I expected to stay less than three weeks, however, when I arrived I discovered that both my parents were injured much worse than I had been told. My father was in a coma and eventually died on June 29, 2011. My mother, who suffered numerous broken bones, remained in the hospital until June 15. I was the only member of my family who remained in Iran to care for her. After caring for her full time, on July 2, 2011, I suffered a heart attack and was hospitalized. I was not released by my doctors to travel back to the United States until July 16, 2011. I returned to San Jose on July 19th. When I returned to San Jose, I first learned that my case had been transferred to Federal Court and that there were several motions pending for hearing on August 5, 2011. I also learned that my previous attorney had sent me notice that he could not represent me in federal court.

At the present time I am unrepresented so I am requesting a 60 day continuance of the pending matters so that I can retain new counsel and prepare responses to the motions pending. If the Court so requests, I can provide my passport showing my stay in Iran and my medical records (in Farsi) showing my heart attack and hospitalization in Iran. I also have my father's obituary. I will also provide the Court with a list of the current medications I am on to reduce stress on my heart.

I am emailing and mailing a copy of this letter to opposing counsel.
I declare that the foregoing statement is true and correct under penalty of perjury

ALI AMIDY